

1 reconsideration should not merely present arguments previously raised; that is, a motion for
2 reconsideration is not a vehicle permitting the unsuccessful party to reiterate arguments
3 previously presented. *See Merozoite v. Thorp*, 52 F.3d 252, 255 (9th Cir.1995); *Khan v. Fasano*,
4 194 F.Supp.2d 1134, 1136 (S.D.Cal.2001) (“A party cannot have relief under this rule merely
5 because he or she is unhappy with the judgment.”).

6 After review, the Court finds that the newly disclosed information contained within
7 Plaintiff’s motion would have been material to review of Plaintiff’s original application to
8 proceed *in forma pauperis*. Consistent with the Local Rules, the Court will require Plaintiff to
9 resubmit a fully complete application to proceed *in forma pauperis*. *See* LSR 1-1 (“Any person,
10 who is unable to prepay the fees in a civil case, may apply to the Court for authority to proceed *in*
11 *forma pauperis*. The application shall be made on the form provided by the Court and shall
12 include a financial affidavit disclosing the applicant’s income, assets, expenses and liabilities.”).

13 Based on the foregoing and good cause appearing therefore,

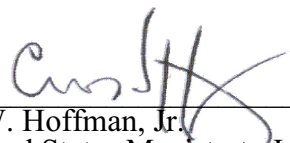
14 **IT IS HEREBY ORDERED** that Plaintiff’s Motion for Reconsideration (#4) is **granted**.

15 **IT IS FURTHER ORDERED** that Plaintiff will have until **Friday, June 8, 2012**, to do
16 one of the following: (1) pay the full filing fee of \$350.00, or (2) file a fully completed
17 application to proceed *in forma pauperis*.

18 **IT IS FURTHER ORDERED** that if Plaintiff does not timely comply with this order
19 may result in the recommendation that this case be dismissed.

20 **IT IS FURTHER ORDERED** that the Clerk of Court shall send Plaintiff the approved
21 form for an application to proceed *in forma pauperis* and instructions for the same. The Clerk
22 shall retain Plaintiff’s complaint, but shall not file it at this time.

23 DATED this 2nd day of May, 2012.

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25 
26 C.W. Hoffman, Jr.
27 United States Magistrate Judge
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